

REMARKS

This paper responds to the Office Action mailed on January 25, 2006.

Claims 64 and 88-90 are amended. Claims 60 and 61 are canceled without disclaimer or prejudice. Claim 91 is added. As a result, claims 62, 64-82, and 84-91 are now pending in this application.

In the Specification

The specification has been amended to update the priority data to include the issued patent number of parent Application No. 09/499,726.

Reservation of the Right to Swear Behind References

Applicant maintains the right to swear behind any references which are cited in a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited references are not to be interpreted as admissions that the references are prior art.

§102 Rejection of the Claims

Claims 60, 61 and 88-90 were rejected under 35 U.S.C. § 102(e) for anticipation by Park et al. (U.S. 6,171,941).

Applicant respectfully traverses for at least the reasons presented below.

Claim 60 and 61 are canceled without disclaimer or prejudice.

Each of the claims 88-90 is amended to recite the things at least similar to that of the allowable claim 64. For example, each of the claims 88-90 is amended to recite that the first capacitor electrode includes a conductive metal oxide. Applicant believes that claims 88-90, as amended, are not anticipated by Park et al. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claims 88-90.

Allowable Subject Matter

Claims 62, 66-82 and 84-87 were allowed.

Applicant acknowledges the allowance of claims 62, 66-82 and 84-87.

Claims 64 and 65 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 64 is rewritten in independent form. The rewriting does not alter the scope of claim 64. Therefore, claim 64 and its dependent claim 65 are now in condition for allowance.

New Claims

Claim 91 recites the things at least similar to that of the canceled claim 61. Claim 91 depends from the allowable claim 64. Therefore, Applicant requests consideration and allowance of claim 91.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 25 April 2005

By _____


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25 day of April, 2006.

Name

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Signature

